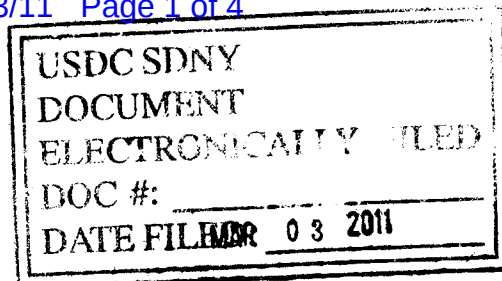


JUDGE COTE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA : 11 Cr.

- v. -

: SEALED INDICTMENT

LEONARD LEIBOWITZ,

Defendant.

11 CRIM 191

- - - - - x

COUNT ONE

(Embezzling Assets of a Labor Organization)

The Grand Jury charges:

1. From on or about July 30, 1997, through in or about 2005, in the Southern District of New York and elsewhere, LEONARD LEIBOWITZ, the defendant, unlawfully, willfully, and knowingly, did embezzle, steal, abstract and convert to his own use, and the use of another, moneys, funds, securities, property, and other assets of a labor organization of which he was then an officer, and by which he was employed, directly and indirectly, to wit, LEIBOWITZ, while serving as counsel to the Independent Artists of America Union ("IAA") embezzled union funds by writing checks to himself from the IAA's bank account to pay for personal expenses that were not for the benefit of the IAA.

(Title 29, United States Code, Section 501(c).)

COUNT TWO

(Falsification of Annual Reports Filed by a Labor Organization)

The Grand Jury further charges:

2. From in or about January 2001, through in or about October 2006, in the Southern District of New York and elsewhere, LEONARD LEIBOWITZ, the defendant, unlawfully, willfully, and knowingly, did make false statements of material facts, and failed to disclose material facts, in documents, reports, and other information required to be filed by the Independent Artists of America Union ("IAA") with the Secretary of Labor pursuant to Section 431 of Title 29, United States Code, that is, the annual financial report form ("LM3"), to wit, LEIBOWITZ caused IAA's LM-3s to list individuals as IAA officers who no longer served as IAA officers and to contain forged signatures purporting to be signatures of those IAA officers as well as another IAA officer.

(Title 29, United States Code, Section 439(b).)

FORFEITURE ALLEGATION

3. As a result of committing the offenses alleged in Counts One and Two of this Indictment, LEONARD LEIBOWITZ, the defendant, shall forfeit to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(C), any property constituting or derived from proceeds obtained directly or indirectly as a result of the offenses.

Substitute Asset Provision

4. If any of the above-described forfeitable property,

as a result of any act or omission of LEONARD LEIBOWITZ, the defendant:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;


(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C. § 981(a)(1)(C), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981.)


FOREPERSON


PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

LEONARD LEIBOWITZ,

Defendant.

INDICTMENT

11 Cr.

(29 U.S.C. §§ 501(c) and 439(b).)

PREET BHARARA

United States Attorney.

A TRUE BILL

[Signature]
Foreperson.

3-3-11
MB Filed Indictment Under Seal. A/W issued

Pitman
C.S.M.J